

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GWENDOLYN COOPER,

Plaintiff,

Case No. 07-13123

v.

Honorable John Corbett O'Meara

STATE OF MICHIGAN,

Defendant.

ORDER OF PARTIAL DISMISSAL

Plaintiff Gwendolyn Cooper filed an eight-count complaint in this court July 26, 2007, and an amended complaint August 15, 2007, alleging causes of action for, among other things, hostile work environment, race and gender discrimination, and retaliation. Only Count IV alleges a federal cause of action, race discrimination in violation of Title VII.

While the claim alleging violations of federal law is cognizable in this court pursuant to 28 U.S.C. § 1331, all the remaining allegations in the complaint present claims based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c).

Accordingly, it is hereby **ORDERED** that Counts I, II, III, V, VI, VII and VIII are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Dated: October 5, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 5, 2007, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager